

DAN RAYFIELD
Attorney General of Oregon
BENJAMIN GUTMAN
Solicitor General
DENISE G. FJORDBECK
Attorney-in-Charge
Civil/Administrative Appeals
1162 Court St.
Salem, Oregon 97301
Telephone: (503) 378-4402

Counsel for Defendants-Appellants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CASALA, LLC, d/b/a Bubble's Hash; and
REC REHAB CONSULTING LLC, d/b/a
Ascend Dispensary,

Plaintiffs-Appellees,

v.

TINA KOTEK, in her official capacity as
Governor of the State of Oregon; DAN
RAYFIELD, in his official capacity as
Attorney General of the State of Oregon;
DENNIS DOHERTY, in his official capacity
as Chair of the Oregon Liquor and Cannabis
Commission; and CRAIG PRINS, in his
official capacity as Executive Director of the
Oregon Liquor and Cannabis Commission,

Defendants-Appellants.

Case No. 3:25-cv-00244-SI

NOTICE OF APPEAL

Notice is given that defendants-appellants, Tina Kotek, Dan Rayfield, Dennis Doherty and Craig Prins, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the judgment entered on May 20, 2025, Docket No. 49, by the Honorable Michael H. Simon of the United States District Court for the District of Oregon. The Ninth Circuit Court of Appeals

has jurisdiction over this matter pursuant to 28 U.S.C. § 1291, as the judgment is the final decision of the district court.

Respectfully submitted,

DAN RAYFIELD #064790
Attorney General
BENJAMIN GUTMAN #160599
Solicitor General

/s/ Denise G. Fjordbeck

DENISE G. FJORDBECK #822578
Attorney-in-Charge
Civil/Administrative Appeals
denise.fjordbeck@doj.oregon.gov

Attorneys for Defendants-Appellants
Tina Kotek, Dan Rayfield, Dennis Doherty
and Craig Prins

NOTICE OF FILING AND PROOF OF SERVICE

I certify that on June 11, 2025, I directed the original Notice of Appeal to be electronically filed with the Clerk of the Court for the United States District Court for the District of Oregon by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

I further certify that on June 11, 2025, a copy of the Notice of Appeal was sent via certified mail, return received requested, in an envelope with postage pre-paid to the following:

Stephen M. Scott
Todd A. Lyon
Janelle W. Debes
Alexander A. Wheatley
Fisher & Phillips, LLP
111 SW Fifth Ave., Ste. 4040
Portland, OR 97204

Noah T. Barish
McKanna Bishop Joffe, LLP
1635 NW Johnson Street
Portland, OR 97209

/s/ Denise G. Fjordbeck

DENISE G. FJORDBECK #822578

Attorney-in-Charge
Civil/Administrative Appeals
denise.fjordbeck@doj.oregon.gov

Attorney for Defendants-Appellants
Tina Kotek, Dan Rayfield, Dennis Doherty
and Craig Prins

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

CASALA, LLC, d/b/a Bubble’s Hash; and
REC REHAB CONSULTING LLC,
d/b/a Ascend Dispensary,

Plaintiffs,

v.

TINA KOTEK, in her official capacity
as Governor of the State of Oregon;
DAN RAYFIELD, in his official capacity
as Attorney General of the State of Oregon;
DENNIS DOHERTY, in his official capacity
as Chair of the Oregon Liquor and Cannabis
Commission; and **CRAIG PRINS**, in his
official capacity as Executive Director of the
Oregon Liquor and Cannabis Commission,

Defendants.

Case No. 3:25-cv-244-SI

JUDGMENT

This action was heard by the Court in a one-day bench trial on a written record on April 29, 2025, with U.S. District Judge Michael H. Simon presiding. Based on the Court’s Opinion and Order, which contains the Court’s findings of fact and conclusions of law,

The Court **DECLARES** that the United for Cannabis Workers Act, passed by an initiative approved by Oregon voters in 2024 as Ballot Measure 119 (“Measure 119”), is:

(1) preempted by the National Labor Relations Act; and (2) abridges Plaintiffs' freedom of speech in violation of the First Amendment.

Further, the Court **PERMANENTLY ENJOINS AND RESTRAINS** Defendants from enforcing Measure 119 against Plaintiffs.

This is the Court's Final Judgment in this matter. The Court retains jurisdiction as necessary to enforce the terms of this Final Judgment.

DATED this 20th day of May, 2025.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge